

Supplemental Response under 37 C.F.R. §1.111  
Attorney Docket No. 062918  
Application No. 10/598,194

### **REMARKS**

Claims 1-18 are pending in the present application. Applicants gratefully acknowledge that claims 11-13 recite allowable subject matter.

#### **Claim Rejections – 35 U.S.C. §§ 102 and 103**

Claims 1 and 4-9 were rejected under 35 U.S.C. § 102(b) as being anticipated by **Okumura** (US 2003/0066958); claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Okumura** in view of **Schwartz** (US 2005/0017170); and claims 14-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Ding** (US 7,193,207) in view of **Okumura**.

Favorable reconsideration is requested.

Applicants request consideration of the foreign priority document UK 0404285.9 (filed on February 26, 2004) and withdrawal of the rejection based on Schwartz because the foreign priority document pre-dates the publication date (January 27, 2005) and filing date (August 19, 2004) of Schwartz.

Applicants also request withdrawal of the rejection based on Ding since Ding is disqualified as a prior art reference under 35 U.S.C. § 103(c). The present application and the U.S. Patent to Ding (US 7,193,207) were, at the time of the invention of the present application was made, owned by Shimadzu Research (Europe) Ltd, and thus, Ding is disqualified as prior art.

For at least the foregoing reasons, and the reasons provided in the Amendment filed August 24, 2009, withdrawal of the rejections is hereby solicited.

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In view of the above remarks, Applicants submit that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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